IN THE HIGH COURT OF UTTARANCLA AT NAINITAL

Writ Petition No. 1824 of 2003 (S/S)
(Old No. 6311 of 1993)

Conservator of Forest,
Western Circle, Nainital & others. …….. Petitioners

Versus

Nazir Ahmad (deceased),
S/o Mumtaz Ahmad & others, ……Respondents

Mr. K.P. Upadhyaya, Standing Counsel for the petitioners.

Coram: Hon. Cyriac Joseph, C.J.
Hon. Rajesh Tandon, J.

ORAL JUDGMENT: (Per Hon'ble the Chief Justice)

1. The challenge in this writ petition is against the judgment dated 28.12.1992 of the U.P. Public Service Tribunal No. II in Claim Petition No. 58/II/1986. As per the said judgment, the Tribunal quashed an order dated 24.02.1984 directing forfeiture of a sum of Rs. 20,905.75/- from the pension and gratuity of Sri Nazir Ahamad who had retired form service as Ranger on 31.01.1981. The Tribunal held that the impugned orders were wholly illegal and invalid.

2. Having perused the judgment and having considered the averments in the writ petition, we are of the view that the impugned judgment of the Tribunal does not call for any interference under Article 226 or 227 of the Construction of India. Hence, the writ petition is dismissed.

(Rajesh Tandon, J.) **(Cyriac Joseph, C.J.)**
13.06.2005 **13.06.2005**

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